

**AMENDMENT AND PRESENTATION OF CLAIMS**

Please replace all prior claims in the present application with the following claims.

1. (Currently Amended) A method, comprising:  
determining to establish, at a device, a connection with a receiver using a telephone number,  
as a response to a failed attempt for establishing the connection, starting, at the device, a  
multimedia messaging service (~~MMS~~),  
determining to record a voice message to be included as part of a multimedia message in  
memory of the device, and  
determining to transmit the multimedia message to a voice mail box associated with the  
telephone number.
2. (Previously Presented) The method according to claim 1, wherein the multimedia  
message includes an identifier to indicate that the multimedia message is created as a response to  
a failed attempt for establishing the connection.
3. (Previously Presented) The method according to claim 1, wherein the voice message is  
recorded as a sound clip of the multimedia message, and one or a combination of the following is  
attached in the multimedia message: text, picture, and video image.
4. (Previously Presented) The method according to claim 3, wherein the multimedia  
message containing the recorded sound clip is automatically transmitted to the receiver.

5. (Previously Presented) The method according to claim 3, wherein the multimedia message containing the recorded sound clip is transmitted to the receiver as a response to a confirmation of a message sending function.

6. (Previously Presented) The method according to claim 1, wherein the multimedia message is transmitted to a number to which the original request for establishing connection was made.

7. (Canceled)

8. (Currently Amended) An apparatus comprising:

at least one processor; and

at least one memory including computer program code for one or more programs,

the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus to perform at least the following,

~~determining~~ determine to establish a connection with a receiver using a telephone number,

start a multimedia messaging service (MMS) as a response to a failed attempt for establishing the connection,

determine to record a voice message to be included as part of a multimedia message, and

determine to transmit the multimedia message to a voice mail box associated with the telephone number.

9. (Previously Presented) The apparatus according to claim 8, wherein the multimedia message includes an identifier indicating that the multimedia message was created automatically.

10. (Previously Presented) The apparatus according to claim 8, wherein in addition to the sound clip, one or a combination of the following is attached to the multimedia message: text, picture, and video image.

11. (Previously Presented) The apparatus according to claim 8, wherein the created multimedia message is transmitted automatically to a number of the receiver to which the original request for establishing the connection was made.

12. (Previously Presented) The apparatus according to claim 8, wherein the created multimedia message is transmitted as a response to a confirmation of a multimedia message transmission function.

13. (Previously Presented) The apparatus according to claim 8, wherein the multimedia message is transmitted to a number to which the original request for establishing the connection was made.

14. (Canceled)

15. (Canceled)

16. (Currently Amended) A non-transitory computer-readable storage medium carrying one or more sequences of one or more instructions which, when executed by one or more processors, cause an apparatus to at least perform the following steps:

determining to establish a connection with a receiver using a telephone number,

starting a multimedia messaging service (~~MMS~~) as a response to a failed attempt for establishing the connection,  
determining to record a voice message to be included as part of a multimedia message, and  
determining to transmit the multimedia message to a voice mail box associated with the telephone number.

17. (Currently Amended) A device comprising:

means for determining to establish a connection with a receiver using a telephone number,  
means for starting a multimedia messaging service (~~MMS~~) as a response to a failed attempt for establishing the connection,  
means for determining to record a voice message to be included as part of a multimedia message, and  
means for determining to transmit the multimedia message to a voice mail box associated with the telephone number.

18. (Previously Presented) The method according to claim 1, wherein the multimedia message is converted by a messaging server to a voice mail for delivery to the voice mail box.

19. (Previously Presented) The method according to claim 1, wherein the multimedia message is forwarded to a web page associated with the receiver.

20. (Previously Presented) The method according to claim 1, wherein the determination to transmit the multimedia message to the voice mail box is made after determining that the receiver is unable to receive the multimedia message.